

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. GRADFORD,

Plaintiff,

v.

F. VELASCO, et al.,

Defendants.

Case No. 1:20-cv-543-NONE-EPG (PC)

FINDINGS AND RECOMMENDATIONS,  
RECOMMENDING THAT CERTAIN  
CLAIMS AND DEFENDANTS BE  
DISMISSED

(ECF NOS. 1 & 10)

OBJECTIONS, IF ANY, DUE WITHIN  
FOURTEEN DAYS

William J. Gradford (“Plaintiff”) is a former inmate proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Plaintiff filed his Complaint on April 16, 2020. (ECF No. 1). The Court screened Plaintiff’s complaint. (ECF No. 10). The Court found Plaintiff stated claims against Defendant F. Velasco for verbal harassment in violation of the Fourteenth Amendment and against Defendants F. Velasco and T. Webster for retaliation in violation of the First Amendment. The Court found that Plaintiff has failed to state any other claims. The Court allowed Plaintiff to choose between proceeding only on the claims found cognizable by the Court in the screening order or filing an amended the complaint. (*Id.* at 13). On August 14, 2020, Plaintiff notified the Court that he wants to proceed only on the claims found cognizable in the screening order. (ECF No. 11).

Accordingly, for the reasons set forth in the Court’s screening order that was entered on July 27, 2020 (ECF No. 10), and because Plaintiff has notified the Court that he wants to proceed only on the claims found cognizable in the screening order (ECF No. 11), it is

1 HEREBY RECOMMENDED that all claims and defendants be dismissed, except for Plaintiff's  
2 claims against Defendant F. Velasco for verbal harassment in violation of the Fourteenth  
3 Amendment and against Defendants F. Velasco and T. Webster for retaliation in violation of  
4 the First Amendment.

5 These findings and recommendations are submitted to the United States district judge  
6 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **fourteen**  
7 **(14) days** after being served with these findings and recommendations, Plaintiff may file  
8 written objections with the Court. The document should be captioned "Objections to  
9 Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file  
10 objections within the specified time may result in the waiver of rights on appeal. Wilkerson v.  
11 Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394  
12 (9th Cir. 1991)).

13  
14 IT IS SO ORDERED.

15 Dated: **August 17, 2020**

16 /s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE